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GOVERNOR

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SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 26, 2015
Certified Mail/Return
7012 3460 0003 1113 1595

City of Grass Valley
125 E. Main St.
Grass Valley, CA 95945

Attention: Tim Kiser, Director of Public Works

Subject: Public Water System No. 2910001 – Citation No. 21-15C-006 for bacteriological monitoring violation in December of 2014.

The City of Grass Valley water system is classified as a community water system. Per Title 22, of the California Code of Regulations (CCR), the City of Grass Valley is required to properly monitor bacteriological levels in its distribution system. Per Section 64424, the water system failed to collect the required amount of repeat samples following a positive total coliform routine sample in the month of December 2014.

Therefore, this Citation is hereby issued to the water system for violating the monitoring and reporting requirements per the California Code of Regulations cited above.

Section 116577 of the California Safe Drinking Water Act provides for the department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. The billing rate is approximately \$128 per hour. At this time, we have spent approximately one hour preparing this citation. You will receive a bill for this cost, typically by September 1st, from our Fee Billing Unit in Sacramento.

If you have any questions please call Paul Rowe at (530) 224-4866. You may also contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: City of Grass Valley
125 E. Main St.
Grass Valley, CA 95945

Attn: Tim Kiser, Director of Public Works

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, SECTION 64424 - WATER SYSTEM NO. 2910001**

CITATION NO. 21-15C-006

Issued on January 26, 2015

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the City of Grass Valley for violation of California Code of Regulations (CCR), Title 22, Section 64424 subsection (a).

APPLICABLE AUTHORITIES

California Health and Safety Code provides - Section 116650, provides in relevant part:

- (a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).

1 (e) The Division may assess a penalty in an amount not to exceed one
2 thousand dollars (\$1,000) per day for each day that a violation
3 occurred, and for each day that a violation continues to occur. A
4 separate penalty may be assessed for each violation.
5

6 **California Code of Regulations - Section 64424, subsection (a) provides, in**
7 **relevant part:**
8

9 (a) If a routine sample is total coliform-positive, the water supplier shall
10 collect a repeat sample set as described in paragraph (a)(1) within 24
11 hours of being notified of the positive result. The repeat samples shall all
12 be collected within the same 24 hour time period.

13 (1) For a water supplier that normally collects more than one routine
14 sample a month, a repeat sample set shall be at least three
15 samples for each total coliform-positive sample. For a water
16 supplier that normally collects one or fewer samples per month, a
17 repeat sample set shall be at least four samples for each total
18 coliform-positive sample.
19

20 **STATEMENT OF FACTS**
21

22 The City of Grass Valley (hereinafter, "Water System") domestic water system is
23 classified as a community water system. As such, the Water System is required to
24 collect eight (8) routine bacteriological water samples each month. In December of
25 2014, the Water System collected a routine sample, which indicated the presence of



1 total coliform bacteria. Subsequently, the Water System collected only two of the
2 three required repeat samples in response to the total coliform positive routine
3 sample.

4 5 DETERMINATION

6
7 The Division has determined that the Water System violated Section 64424 (a), Title
8 22, of the CCR, in that the Water System only collected two of three required repeat
9 samples following a total coliform-positive routine sample in the month of December
10 2014.

11 12 DIRECTIVES

13
14 The Water System is directed to take the following actions:

- 15
16 1. Comply with Section 64424 (a), Title 22, of the CCR in all future bacteriological
17 monitoring.
18
19 2. The Water System shall provide public notification (by inclusion in the **2014**
20 **Consumer Confidence Report**) of the failure to collect the required amount of
21 repeat samples following a total coliform positive routine sample.
22

23 The Division reserves the right to make such modifications to this Citation as it may
24 deem necessary to protect public health and safety. Such modifications may be
25 issued as amendments to this Citation, and shall be deemed effective upon issuance.
26



1 Nothing in this Citation relieves the Water System of its obligation to meet the
2 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
3 standard, or order issued or adopted thereunder.

4
5 All submittals required by this Citation shall be submitted to the Division at the
6 following address:

7
8 Reese B. Crenshaw, P. E.

9 Valley District Engineer

10 State Water Resources Control Board

11 Division of Drinking Water

12 364 Knollcrest Dr. Suite 101

13 Redding, CA 96002

14
15 **PARTIES BOUND**

16
17 This Citation shall apply to and be binding upon the Water System, its officers,
18 directors, shareholders, agents, employees, contractors, successors, and assignees.

19
20 **SEVERABILITY**

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22 The Directives of this Citation are severable, and the Water System shall comply with
23 each and every provision thereof, notwithstanding the effectiveness of any other
24 provision.

1 FURTHER ENFORCEMENT ACTION

2

3 The California SDWA authorizes the Division to: issue citation with assessment of

4 administrative penalties to a public water system for violation or continued violation of

5 the requirements of the California SDWA or any permit, regulation, permit or order

6 issued or adopted thereunder including, but not limited to, failure to correct a violation

7 identified in a citation or compliance order. The California SDWA also authorizes the

8 Division to take action to suspend or revoke a permit that has been issued to a public

9 water system if the system has violated applicable law or regulations or has failed to

10 comply with an order of the Division; and to petition the superior court to take various

11 enforcement measures against a public water system that has failed to comply with

12 violates an order of the Division. The Division does not waive any further enforcement

13 action by issuance of this citation.

14

15

16 1/26/15

17 Date

18 R. Crenshaw

19 Reese B. Crenshaw, P.E.,

20 Valley District Engineer
Division of Drinking Water
State Water Resources Control Board